

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE:
THOMAS J. DABALDO, : BK. No. 08-20024-TPA
Debtor, : Chapter No. 13
THOMAS J. DABALDO, : Hearing Date: 9/13/17
Movant, : Hearing Time: 9:30 a.m.
v. : Doc. No. 81
OCWEN LOAN SERVICING INC., :
Respondent.

RESPONSE OF OCWEN LOAN SERVICING, LLC
TO THE MOTION TO HAVE MORTGAGE DEEMED SATISFIED OR IN THE
ALTERNATIVE, FOR AN ACCOUNTING

Ocwen Loan Servicing LLC, (hereinafter “Ocwen”), by and through its attorneys, Phelan Hallinan Diamond & Jones, LLP, hereby responds to the Debtor’s Motion to Have Mortgage Deemed Satisfied or in the Alternative, for an Accounting, and in support thereof, avers as follows:

1-8. Admitted.

9. After reasonable investigation, Ocwen is without knowledge sufficient to form a belief as to the truth or falsity of the allegations set forth in paragraph nine (9) of the Motion and they are therefore denied.

10. After reasonable investigation, Ocwen is without knowledge sufficient to form a belief as to the truth or falsity of the allegations set forth in paragraph ten (10) of the Motion and they are therefore denied.

11. After reasonable investigation, Ocwen is without knowledge sufficient to form a belief as to the truth or falsity of the allegations set forth in paragraph eleven (11) of the Motion and they are therefore denied.

12. The allegations set forth in paragraph twelve (12) of the Motion are conclusions of law to which no response is necessary and are therefore denied.

13-14. After reasonable investigation, Ocwen is without knowledge sufficient to form a belief as to the truth or falsity of the allegations set forth in paragraphs thirteen and fourteen (13-14) of the Motion and they are therefore denied. By way of further response, Homecomings Financial, LLC filed two proofs of claim in this case at claim number 1-1 and claim number 4-1. The Motion does not identify the mortgage by mortgage book volume and page and Ocwen is not able to verify the instrument number set forth in the proposed Order of Court. Ocwen requires additional information from the Debtor before it can verify the information set forth in the Motion.

WHEREFORE, Ocwen Loan Servicing LLC, respectfully requests that this Honorable Court deny the Debtor's Motion to Have Mortgage Deemed Satisfied or in the Alternative, for an Accounting.

PHELAN HALLINAN
DIAMOND & JONES, LLP

Date: September 5, 2017

/s/ James A. Prostko, Esquire
James A. Prostko, Esquire
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CERTIFICATE OF SERVICE

I certify under penalty of perjury that on September 5, 2017, I served or caused to be served Ocwen Loan Servicing LLC's Response to the Motion to Have Mortgage Deemed Satisfied or in the Alternative, for an Accounting on the parties at the addresses shown below. The types of service made on the parties were: Electronic Notification and First Class Mail.

Service by Electronic Notification

Sharon M. Menchyk
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PHELAN HALLINAN
DIAMOND & JONES, LLP

Date: September 5, 2017

/s/ James A. Prostko, Esquire

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